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EXAMINER

VU, NGOC K

ART UNIT PAPER NUMBER

2623

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/837,128

Applicant(s)

ANDERSON ET AL.

Examiner

Ngoc K. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 6/30/2006 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 19-66 are objected to because of the following informalities: the terms "portable" in the preamble of claims 19-66 are missing. Accordingly, the preamble of the claims 19-66 must be changed to "The portable wireless handheld device". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-32, 34-38, 40-48, 50-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busack (US 6,020,851 A) in view of Barstow et al. (US 5,189,630 A) and further in view of Koehler et al. (US 20010042105 A1).

Regarding claim 18, Busack discloses a device (40, 42) to be used at an event (auto race) by a user while watching the event live, the device comprising a receiver (within 40) being configured to receive video content transmitted to the receiver, signal processing logic (within 40) configured for selectable operation by a user to select video content (i.e., a particular vehicle for viewing during the event); and a display being configured to display video content selected by the user (see figure 1; col. 1, lines 5-11 and 49-51; col. 3, lines 24-30 and 36-40).

Busack does not teach that the device is a portable wireless handheld device for wirelessly receiving video content and permitting the user to carry the portable wireless handheld device about the event and choose where to view the video content selected by the user while roaming at the event during the event. However, Barstow teaches broadcasting information about a live event to viewer's computer via wireless transmission, and wherein the viewer's computer is portable, or pocket-sized computer that will have the full functional capability of presenting the broadcasted live event as audiovisual content. (See abstract; figures 1, 8, 20; col. 12, lines 49-58; col. 25, lines 32-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify device of Busack as a portable wireless handheld device for wirelessly receiving video content. Because of the that feature, a view can carry the portable wireless handheld device about the event and choose where to view the video content selected by the viewer while roaming at the event during the event. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Busack by including a portable wireless handheld device for wirelessly receiving video content as taught by Barstow in order to provide convenience to the viewer for carrying the device.

Busack does not explicitly teach selecting video content from a plurality of cameras located at event. However, Koehler teaches that a system allows a viewer to select one or more views from car views provided from cameras in cars 12-18 in a race event to (see 0027). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Busack and Barstow by selectively providing video content from one of cameras in cars in a race event to a viewer as taught by Koehler to allow the view to watch the selected car view as desired.

Regarding **claim 19**, Busack as modified Barstow further teaches that the viewer wirelessly receives live event and subevents (see Barstow: col. 10, lines 20-30; col. 9, lines 34-38; col. 12, lines 49-60; col. 25, lines 42-46; col. 22, lines 60-68).

Regarding **claim 20**, Busack as modified Barstow further teaches that a portable user interface, within said handheld housing, configured to allow the user to select video content for display by the display from the live event and subevents (see Barstow: col. 2, lines 2-7; col. 12, lines 49-60; col. 25, lines 42-46; col. 22, lines 60-68).

Regarding **claim 21**, the combination of Busack, Barstow, and Koehler further teaches that the receiver wirelessly receives audio signals associated with the event, and further comprising a portable user interface configured to allow the user to select audio content from one of the sources (a user can select to listen communications between the driver and pit crew, wherein the audio signals are received from a plurality of audio sources – see Busack and Koehler: abstract).

Regarding **claim 22**, the combination of Busack, Barstow, and Koehler further teaches that the receiver wirelessly receives a plurality of video signals defining said video content from the cameras at the event that the user is attending live (see Koehler: 0027 and 0012). Busack, Barstow, and Koehler do not teach receiving video signals from a plurality of cameras at another remote event. Official Notice is taken that providing video signals via a plurality of cameras at a remote event such as sporting event or news is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Busack, Barstow, and Koehler by providing video signals from a plurality of cameras at another remote event such as another sporting event or news in order to provide different video content for enhancing distribution system.

Regarding **claim 23**, the combination of Busack, Barstow, and Koehler further teaches a portable user interface configured to allow the user to select for simultaneous outputting audio

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content from a plurality of sources, and wherein the audio content from one source is output at an increased amplitude relative to the audio content from another source (i.e., by prioritizing, the user can hear communications from a particular team while still hear communications from other team – see Koehler: 0019).

Regarding **claim 24**, the combination of Busack, Barstow, and Koehler further teaches that the receiver wirelessly receives the video content when the user is roaming at the event (since the device 40 is at the race for receiving the audio/video and the modified device is a portable wireless device for receiving video signals wirelessly - see Busack: figure 1; Barstow: col. 12, lines 59-60; col. 25, lines 37-46).

Regarding **claim 25**, the combination of Busack, Barstow, and Koehler further teaches that a portable user interface and wherein the receiver is configured to receive a plurality of multiplexed video signals, on of the multiplexed video signals being selected using the user interface (selecting the received video channels via user interface - see Koehler: 0026 and col. 9, lines 34-38 and col. 22, lines 60-68).

Regarding **claim 26**, the combination of Busack, Barstow, and Koehler teaches that the event is an automobile race and the plurality of video signals provide video content from live on-track video camera and a pit crew video camera (see Busack: figure 1; Koehler: figure 1 and 0027).

Regarding **claim 27**, the combination of Busack, Barstow, and Koehler teaches that a user interface configured to allow the user to select intermittently images representing said video content for display by the display (i.e., selecting one or more views from car views for display – see Koehler: 0027).

Regarding **claim 28**, the combination of Busack, Barstow, and Koehler teaches that the video content includes video content intermittent images of the event (video content includes the views of auto race – see Busack: abstract and col. 1, lines 5-10).

Regarding **claim 29**, the combination of Busack, Barstow, and Koehler teaches that a user interface configured to control operation of said signal processing logic such that the user away from the event while intermittently viewing images defining said video content (since the device 40 is at the race for receiving the audio/video and the modified device is a portable wireless device for receiving video signals wirelessly - see Busack: figure 1; Barstow: col. 12, lines 59-60; col. 25, lines 37-46).

Regarding **claim 30**, the combined teaching of Busack, Barstow, and Koehler fail to teach a user interface configured to provide one touch operation. Official Notice is taken that a user interface comprising touch operation is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of the combined system of Busack, Barstow, and Koehler by including a user interface comprising touch operation in order to allow the user operating the device in a convenient manner.

Regarding **claim 31**, the combined teaching of Busack, Barstow, and Koehler fail to teach the display is a liquid crystal display. Official Notice is taken that LCD display is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of the combined system of Busack, Barstow, and Koehler by including LCD display in order to display video or pictures with higher quality.

Regarding **claim 32**, the combination of Busack, Barstow, and Koehler teaches that the display comprises a plurality of screens (screen 104 and 110 – see Koehler: figures 4).

Regarding **claim 34**, the combination of Busack, Barstow, and Koehler teaches that the plurality of the sources provide a sideline view of said event and a spectator view of said event (providing television broadcaster's view of the race event and car views – see Koehler: 0027).

Regarding **claim 35**, the combination of Busack, Barstow, and Koehler teaches that the video content provides different images from the event, said signal processing logic allowing the user to select images for display on the display when the user is away from the event (since the device 40 is

at the race for receiving video content and selectively displaying the views in response to the viewer selection – see Busack: figure 1 and abstract; Koehler: 0027; Barstow: col. 12, lines 59-60; col. 25, lines 37-46).

Regarding **claim 36**, Busack discloses a device (40, 42) to be used at an event (auto race) by a user while watching the event live, the device comprising a receiver (within 40) being configured to receive video content transmitted to the receiver, signal processing logic (within 40) configured for selectable operation by a user to select video content (i.e., a particular vehicle for viewing during the event); and a display being configured to display video content selected by the user (see figure 1; col. 1, lines 5-11 and 49-51; col. 3, lines 24-30 and 36-40).

Busack does not teach that the device is a portable wireless handheld device for wirelessly receiving video content and permitting the user to carry the portable wireless handheld device about the event and choose where to view the video content selected by the user while roaming at the event during the event. However, Barstow teaches broadcasting information about a live event to viewer's computer via wireless transmission, and wherein the viewer's computer is portable, or pocket-sized computer that will have the full functional capability of presenting the broadcasted live event as audiovisual content. (See abstract; figures 1, 8, 20; col. 12, lines 49-58; col. 25, lines 32-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify device of Busack as a portable wireless handheld device for wirelessly receiving video content. Because of the that feature, a view can carry the portable wireless handheld device about the event and choose where to view the video content selected by the viewer while roaming at the event during the event. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Busack by including a portable wireless handheld device for wirelessly

receiving video content as taught by Barstow in order to provide convenience to the viewer for carrying the device.

Busack does not explicitly teach selecting video content from a plurality of cameras located at event. However, Koehler teaches that a system allows a viewer to select one or more views from car views provided from cameras in cars 12-18 in a race event to (see 0027). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Busack and Barstow by selectively providing video content from one of cameras in cars in a race event to a viewer as taught by Koehler to allow the view to watch the selected car view as desired.

Regarding claim 37, the combination of Busack, Barstow, and Koehler teaches that the event is a sporting event (race event – Busack and Koehler: figure 1).

Regarding claim 38, the combination of Busack, Barstow, and Koehler teaches that the event is played on a race track and one of the cameras is located on the race track (see Busack: see figure 1; Koehler: see figure 1).

Regarding claim 40, the combination of Busack, Barstow, and Koehler further teach that the event is a game played on a field and the video content received by the receiver includes a first image from a field sideline perspective of the game and a second image from a spectator perspective of the game, the signal processing logic allowing the user to select one of the first and second images (i.e., selecting one or more views from car views for display – see Koehler: 0027).

Regarding claim 41, the combination of Busack, Barstow, and Koehler further teach that the event occurs at a stadium and the handheld device is configured to operate at the stadium (since the device 40 is at the race for receiving the audio/video and the device wirelessly receives video signals – see Busack: figure 1; Barstow: col. 12, lines 59-60; col. 25, lines 37-46).

Regarding claim **42**, the combination of Busack, Barstow, and Koehler further teaches that video content includes first and second images associated with separate first and second events, said signal processing logic allowing said user to select one of said first and second images (the device allows the user to select video content for display by the display from the live event and subevents - see Barstow: col. 2, lines 2-7; col. 12, lines 49-60; col. 25, lines 42-46; col. 22, lines 60-68).

Regarding claims **43 and 44**, the combination of Busack, Barstow, and Koehler teaches that the receiver is configured to receive the video content while a user roams at event (the device 40 and user are at the race, wherein the device wirelessly receives audio/video signals – see Busack: figure 1; Barstow: col. 12, lines 59-60; col. 25, lines 37-46).

Regarding claim **45**, the combination of Busack, Barstow, and Koehler teaches that the device comprises an antenna, provided on the handheld housing, that is configured to receive, in said video content, a first image associated with the event and a second images associated with another event (see Barstow: col. 2, lines 2-7; col. 12, lines 49-60; col. 25, lines 42-46; col. 22, lines 60-68; col. 25, lines 37-46 and figures 8 and 20).

Regarding claims **46 and 47**, the combination of Busack, Barstow, and Koehler further teaches the feature of selecting video content and displaying the selected video content on the display (see Busack: abstract; Koehler: 0027; and Barstow: see col. 22, lines 60-68).

Regarding claim **48**, the combination of Busack, Barstow, and Koehler teaches that the receiver permits the user to roam away from the event while the display intermittently displays images defining by said selected video content (since the device 40 is at the race for receiving and displaying the audio/video and the device wirelessly receives video signals – see Busack: figure 1; Barstow: see col. 12, lines 49-60).

Regarding claims **50, 51 and 53-59**, see rejection of claims 37, 38 and 40-45 and 48, respectively.

Regarding claims **61 and 62**, the combination of Busack, Barstow, and Koehler teaches that the receiver receives a plurality of multiplexed video signals carried over a carrier frequency (see Barstow: col. 9, lines 28-38 and Koehler: 0027).

Regarding claims **63 and 64**, the combination of Busack, Barstow, and Koehler teaches that the video content selected and displayed corresponds to a single camera wherein the user is able to view video content from the single video camera (a car view from a camera in a race car – see Koehler: 0027 and figure 1).

Regarding claims 65 and 66, the combination of Busack, Barstow, and Koehler teaches that the display displays video content from a single one of the cameras in a continuous and uninterrupted manner until the user choose to select video content from another one of the cameras (the viewer can select a car view from a camera in a race car to be displayed in a continuous and uninterrupted manner until the viewer wants to select another car view captured by another camera in another race car – see Koehler: figure1 and 0027).

5. Claims 39 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busack (US 6,020,851 A) in view of Barstow et al. (US 5,189,630 A) and further in view of Koehler et al. (US 20010042105 A1) and in view of Khosla (US 6,080,063 A).

Regarding claims **39 and 52**, the combined teachings of Busack, Barstow, and Koehler fail to show a camera located on a helmet of a player. However, Khosla discloses that participants in live event 100 wear helmet cameras which provide participant perspectives on live event 100 (see col. 4, lines 19-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Busack, Barstow, and Koehler by including a camera located on a helmet of a player as disclosed by Khosla for capturing images from the player position within live event.

6. Claims 49 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busack (US 6,020,851 A) in view of Barstow et al. (US 5,189,630 A) and further in view of Koehler et al. (US 20010042105 A1) and in view of Perlman (US 6,125,259 A).

Regarding claims **49 and 60**, the combined teachings of Busack, Barstow, and Koehler fail to show analyzing information received by the receiver for indicating whether the device is authorized to display a select image defined by the select video content. However, Perlman teaches the feature that when a particular channel is selected for reception, the microprocessor requests the authorization status of the selected channel from a scrambler module, and the microprocessor then determines if the selected channel is authorized for viewing. The authorization status of a particular channel may be selectively enabled by transmitting a suitable authorization code to the scrambler module (see col. 10, lines 12-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of the combined teachings of Busack, Barstow, and Koehler by including a module to analyze the received authorization code indicating authorization status for viewing a selected channel as taught by Perlman in order to ensure the authorized viewer to view the channel for security purposes.

7. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Busack (US 6,020,851 A) in view of Barstow et al. (US 5,189,630 A) and further in view of Koehler et al. (US 20010042105 A1) and in view of Rallison et al. (US 5,903,395 A).

Regarding **claim 33**, the combination of Busack, Barstow, and Koehler does not teach that device comprises a shroud substantially surrounding said display. However, Rallison teaches that a display device comprises a shroud 112 surrounding a display (see col. 8, lines 8-10 and figures 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of the combined teachings of Busack, Barstow, and Koehler by including a

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shroud surrounding a display as taught by Rallison in order to block stray light and hold and align of various components of the device.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ngoc K. Vu
Primary Examiner
Art Unit 2623

September 13, 2006